

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

JOSEPH HERO,)	
)	
Plaintiff,)	
)	
v.)	No. 2:19-cv-00319-DRL
)	
LAKE COUNTY ELECTION BOARD,)	
)	
Defendant.)	

STATUS REPORT

In its Scheduling Order issued June 22, 2021 (Dkt. 43), the Court ordered the parties to file a joint status report apprising the Court of certain information. The Parties, by counsel, tender the following report in response to the Court's Order.

A. Status of settlement negotiations, mediation, or other alternative process

The parties have not conducted mediation or other alternative dispute resolution process. The parties believe that this case is likely to be resolved by the pending cross-motions for summary judgment, and therefore that settlement discussions would not be fruitful at this time.

B. Likelihood and scope of any dispositive motion

The parties completed briefing of their cross-motions for summary judgment on March 23, 2021, which are currently pending. The parties agree that this case does not turn on any disputed facts, and therefore that the court's order on those motions is likely to resolve the case.

C. Need for oral argument on any dispositive motion

The parties do not request oral argument as to the pending cross-motions for summary judgment, but would certainly provide such argument should the Court desire.

D. Claims to be tried absent any dispositive motion ruling

Absent a dispositive motion ruling, the claims remaining for trial are whether the defendants' actions violate the First and Fourteenth Amendments to the U.S. Constitution.

E. Duration of anticipated trial

This case involves only declaratory and injunctive relief and would be tried by the Court. Therefore, the parties anticipate that a trial would last 1-2 days.

F. Unique trial issues

The parties are not aware of any unique trial issues or necessary accommodations.

G. Experts

There are no expert witnesses in this case.

H. Daubert issues

The parties do not anticipate any motions under *Daubert*.

I. Other issues

The parties are not aware of any other issues that would assist the Court in preparing for the conference, final scheduling, and trial.

s/ Stevie J. Pactor

Stevie J. Pactor
Gavin M. Rose
ACLU of Indiana
1031 E. Washington St.
Indianapolis, IN 46202
317/635-4059
fax: 317/635-4105
spactor@aclu-in.org
grose@aclu-in.org

Attorneys for Plaintiff

s/ Michael E. Tolbert

w/ permission
Tolbert & Tolbert, LLC
1085 Broadway, Suite B
Gary, Indiana 46402
219/427-0094
fax: 219/427-0783

s/ John P. Reed

w/ permission
Abrahamson, Reed & Bilse
8230 Hohman Avenue
Munster, Indiana 46321
219/595-5306
fax: 219/513-9754

Attorneys for Defendant